

Repealing Clause

Sec. 16.⁸ Articles 179 to 183, inclusive, of Title 5, Chapter Two, of the Penal Code of Texas, are hereby repealed.

Severability Clause

Sec. 17. If any section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares it would have passed this Act and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Emergency Clause

Sec. 18. The fact that there is now no adequate law regulating the activities of persons advocating or opposing legislation for compensation or other valuable consideration or on behalf of others, and that such regulation is in the public interest and creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended.

Sec. 19. This Act shall take effect on January 1, 1959, and it is so enacted.

Passed the Senate, November 6, 1957, by a viva voce vote; November 8, 1957, Senate refused to concur in House amendments and requested appointment of Conference Committee; November 11, 1957, House granted request of Senate; November 12, 1957, Senate adopted Conference Report by a viva voce vote; passed the House, November 7, 1957, with amendments: Yeas 126, Nays 10; November 11, 1957, House granted request of Senate for appointment of Conference Committee; November 12, 1957, House adopted Conference Report: Yeas 124, Nays 15.

Approved Nov. 26, 1957.

Effective Jan. 1, 1959.

LAW ENFORCEMENT STUDY COMMISSION**CHAPTER 10****H. B. No. 5**

An Act creating the Law Enforcement Study Commission, providing for its duration, membership, organization, study, recommendations and reports; making other provisions in regard thereto; providing for the cooperation of Departments of the State Government; providing for the transfer of funds for the use of said Commission; providing a severability clause; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created the Law Enforcement Study Commission, hereinafter called "Commission", which shall have authority

8. Vernon's Ann.P.C. arts. 179-183.

to make full and complete studies, recommendations and reports to the Governor and the Legislature on ways and means to improve law enforcement and crime prevention and for improvements in the Penal Code and the Code of Criminal Procedure and of the preservation of Constitutional liberties and guaranties, but shall not include any specific crime or crimes nor any individual or individuals.

Sec. 2. The Commission shall be composed of nine (9) members, three (3) of whom shall be appointed by the Governor, three (3) by the Lieutenant Governor, and three (3) by the Speaker of the House of Representatives. The Commission shall select a chairman from among its members. In the event a public officer shall be appointed, service by such officer or officers shall be an additional duty of the office.

The Governor, Lieutenant Governor and Speaker of the House each shall appoint at least one member who has had at least three (3) years' experience as a District Attorney or County Attorney, or a combination thereof, and one member who has had at least five (5) years' experience as judge of a court of record or as a practicing attorney in courts of record.

Sec. 3. The Commission shall be a study agency and shall work in cooperation with all official and unofficial agencies and organizations to the end that all possible resources shall be marshalled and utilized to conduct a careful study of the Penal Code and the Code of Criminal Procedure and make recommendations for amendments thereto or recodification thereof. The Commission may make interim reports to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the Fifty-fifth Legislature, and shall make a complete report with recommended legislation to the Fifty-sixth Legislature.

Sec. 4. The Commission shall only exist until January 1, 1959, and it shall complete and distribute its final report to the elected Members of the Fifty-sixth Legislature on or before such date.

Sec. 5. All officials, departments and agencies of the State, upon request, shall cooperate with and assist the Commission in its work by making records compiled in the discharge of their official duties available and providing such other assistance as may be necessary to carry out the functions of the Commission.

Sec. 6. The Commission may employ such secretarial and clerical staff as may be necessary and shall maintain an office in Austin in space to be assigned by the State Board of Control. Members of the Commission shall serve without pay, except that they shall be reimbursed for their actual travel and other expenses incurred in performing their duties under this Act. The salaries of the secretarial and clerical staff members and all other expenses necessary to carry out the provisions of this Act shall be paid upon vouchers signed by the Chairman of the Commission, and for such purposes there is hereby transferred to the Commission the sum of Seven Thousand, Five Hundred Dollars (\$7,500) from Item 26 of the appropriation to the Governor's Office, House Bill No. 133, Chapter 385 of the General and Special Laws of the Fifty-fifth Legislature, Regular Session, 1957.

Sec. 7. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares it would have passed this Act and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 8. The fact that the percentage increase in crime and prison population in recent years has far exceeded the State's increase in popula-

tion, and the need for a statewide study of ways and means to prevent violations of the law and improve law enforcement, create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the House, October 25, 1957: Yeas 107, Nays 2; House concurred in Senate amendments, November 8, 1957: Yeas 117, Nays 3; passed the Senate, as amended, November 7, 1957, by a viva-voce vote.

Approved Nov. 27, 1957.

Effective 90 days after Nov. 12, 1957, date of adjournment.

WATER PLANNING ACT OF 1957

CHAPTER 11⁹

S. B. No. 1

An Act providing for the Texas Water Planning Act of 1957; defining terms; creating the Texas Water Resources Planning Division within the State Board of Water Engineers; prescribing the functions of the Planning Division and specifying its powers and authority under the supervision and direction of the State Board of Water Engineers; providing for the accumulation of data by the Planning Division in cooperation with other state and federal agencies and for the appointment of a representative of the State Soil Conservation Board to work and advise with the Planning Division and authorizing the use of appropriated funds for the purpose of paying the salary, travel and other expenses of such representative; providing that all records, reports, data and information in the files of the Planning Division shall be open to public inspection and authorizing the publication and sale of such material in printed form; providing a method of financing by re-allocating certain funds that have been heretofore appropriated to the Board of Water Engineers and by transferring the sum of Five Hundred Thousand Dollars (\$500,000.00) previously appropriated to the Texas Prison System and by transferring the sum of Two Hundred Ninety-Four Thousand Four Hundred Dollars (\$294,400.00) previously appropriated to the Texas Commission on Higher Education, so as to make available sufficient funds to cover expenditures for the salary of the Planning Engineer, the salaries of employees of the Board, and expenses incidental to the functioning of the agency in accordance with the provisions of this Act; authorizing and prescribing conditions, limitations, rules and procedures for expending the appropriated funds, remaining balances, and fees authorized to be collected; providing for a Planning Engineer and prescribing the qualifications therefor; and for such other engineers, empowering the Board of Water Engineers, under certain conditions, to negotiate for the acquiring of conservation storage in reservoirs created by the United States Government and to report such negotiations to the Legislature; providing that such agreements shall not be binding upon the State of Texas or the Board of Water Engineers unless specifically approved by the Legislature; containing a severability clause; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Name of Act

Section 1. This Act shall be known as "The Texas Water Planning Act of 1957."

⁹ Vernon's Ann.Civ.St. art. 7472d—1.